

Notice of Allowability

Application No.

10/823,028

Examiner

Phi D. A

Applicant(s)

CALFEE, AMY LYNN

Art Unit

3637

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 5/14/07.
2. ☒ The allowed claim(s) is/are 20,21 and 25-28.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

Drawings

1. The drawings were received on 5/14/07. These drawings are accepted and approved.

Allowable Subject Matter

1. Claims 20-21, 25-28 are allowed.

The following is an examiner's statement of reasons for allowance:

Per claim 20, prior art does not show per claim 20, prior art does not show at least one panel retention device comprising: a substantially U-shaped bracket member fitted over an edge of the panel; and a rack and gear mechanism affixed to said bracket member, said rack and gear mechanism comprising: a driving gear; a rack member having a foot member attached at one end and further having a rack gear engaging said driving gear such that said rack member is linearly movable with respect to said bracket member responsive to rotational actuation of said driving gear; and ratchet means restricting bidirectional linear motion of said rack member with respect to said bracket member, wherein said ratchet means comprises: a row of ratchet teeth on a lengthwise side surface of said rack member; and a ratchet arm member engaging the ratchet teeth to allow advancement of said rack member in a linear direction in which a foot member affixed to one end of said rack member extends outwardly away from said bracket member and inhibits retraction of said rack member in the opposing linear direction in combination with other claimed limitations.

Per claim 25, prior art does not show a panel barrier assembly comprising at least one panel retention device comprising: a substantially U-shaped bracket member fitted over an edge of the panel; and a rack and gear mechanism affixed to said bracket member, said rack and gear

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mechanism comprising: a driving gear; a rack member having a foot member attached at one end and further having a rack gear engaging said driving gear such that said rack member is linearly movable with respect to said bracket member responsive to rotational actuation of said driving gear; and support bearing means for providing vertical lengthwise bearing support and horizontal lengthwise bearing support for said rack member, wherein said support bearing means comprises: a vertical bearing guide channel disposed lengthwise along a lateral side of said rack member; and a vertical guide member fixedly attached to said bracket and having a guide flange engaged into said vertical bearing guide channel in combination with other claimed limitations.

Per claim 26, prior art does not show a panel barrier assembly comprising at least one panel retention device comprising: a substantially U-shaped bracket member fitted over an edge of the panel; and a rack and gear mechanism affixed to said bracket member, said rack and gear mechanism comprising: a driving gear; a rack member having a foot member attached at one end and further having a rack gear engaging said driving gear such that said rack member is linearly movable with respect to said bracket member responsive to rotational actuation of said driving gear; and support bearing means for providing vertical lengthwise bearing support and horizontal lengthwise bearing support for said rack member, wherein said support bearing means comprises: a horizontal bearing guide channel disposed lengthwise along said rack gear; and a horizontal guide member fixedly attached to said bracket and having a guide flange engaged into said horizontal bearing guide channel in combination with other claimed limitations.

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Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phi D A whose telephone number is 571-272-6864. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lanna Mai can be reached on 571-272-6867. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Phi Dieu Tran A

PA

7/21/07

LANNA MAI
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600

Lanna Mai

52/203

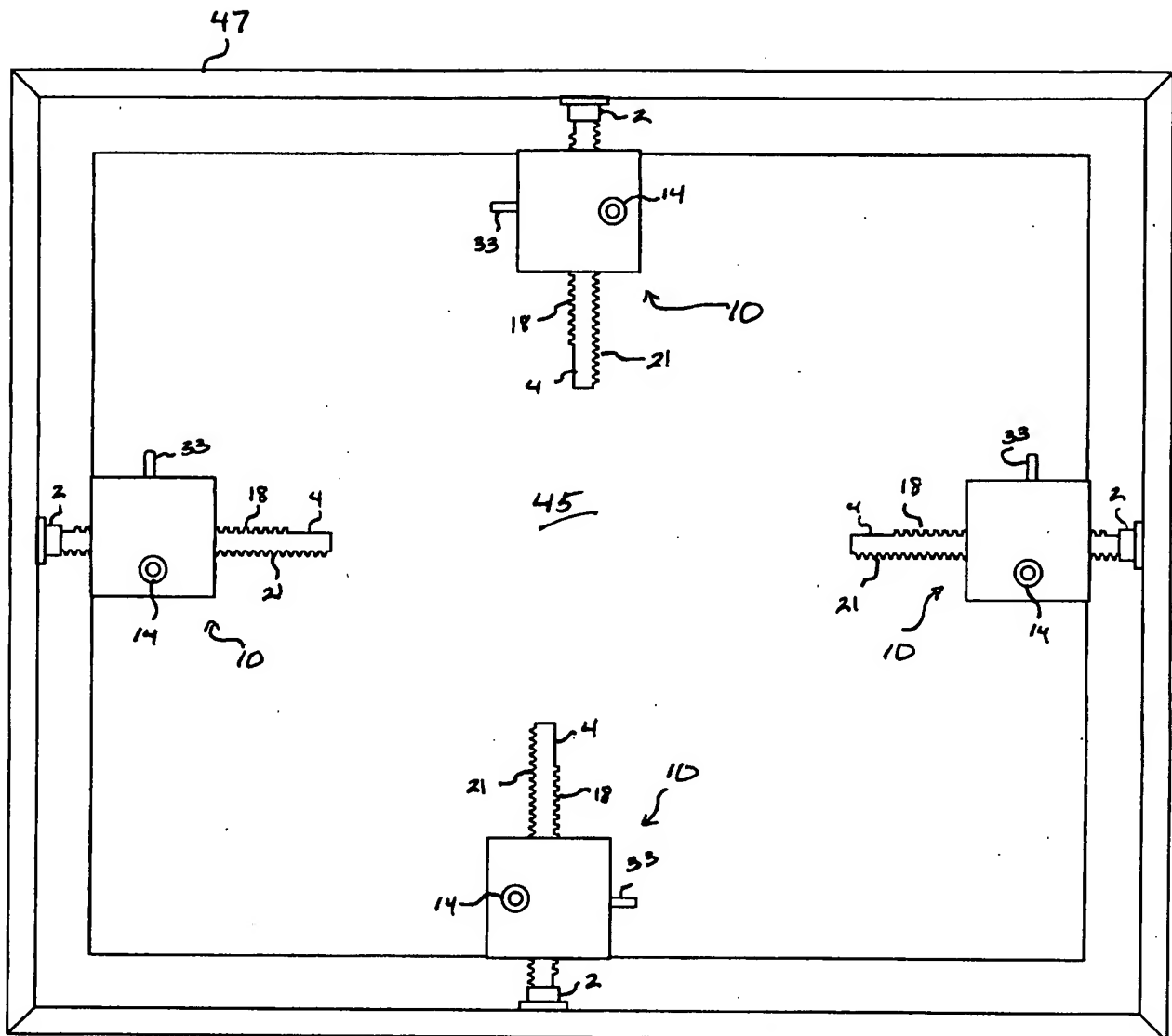


FIG. 5